

3-6-02

A

03/04/02  
J1165 U.S. PTO

Practitioner's Docket No. 19400/09014

PATENT

Preliminary Classification:  
Proposed Class:  
Subclass:

JC979 U.S. PTO  
10/091149  
03/04/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application  
Commissioner for Patents  
U. S. Patent & Trademark Office  
Post Office Box 2327  
Arlington, VA 22202

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Baokang Yang

**CERTIFICATION UNDER 37 C.F.R. § 1.8(a) and 1.10\***  
(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☐ deposited with the United States Postal Service in an envelope addressed to the Box Patent Application Commissioner for Patents, U S Patent & Trademark Office, Post Office Box 2327, Arlington, VA 22202

37 CFR 1.8a

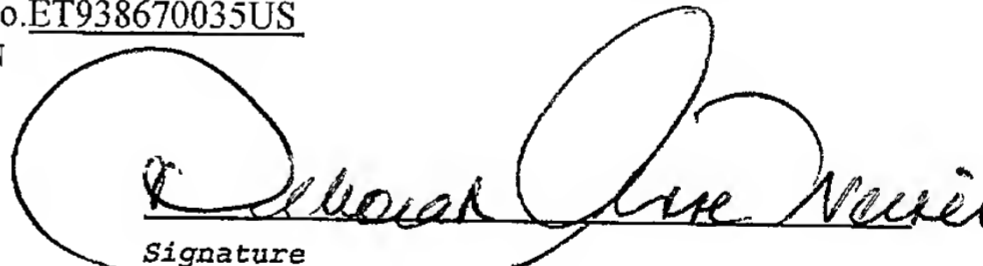
☐ with sufficient postage as first class mail

37 CFR 1.10

☒ as "Express Mail Post Office to Addressee" Mailing Label  
No. ET938670035US

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, 703

  
Signature

Date: March 4, 2002

Deborah Anne Weiner  
Type or print name of person certifying

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

For (title): JUICE BASED BEVERAGE COMPOSITIONS

**1. Type of Application**

This transmittal is for an original (nonprovisional) application.

**2. Papers Enclosed**

A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design) Application

31 Page(s) of Specification (including title page)

6 Page(s) of Claims

B. Other Papers Enclosed

1 Page(s) of abstract

**3. Declaration or Oath**

Not Enclosed.

Application is made by a person authorized under 37 C.F.R. Section 1.41(c) on behalf of all of the above-named inventors.

**4. Inventorship Statement**

The inventorship for all the claims in this application is the same.

**5. Language**

English

**6. Fee Calculation (37 C.F.R. Section 1.16)**

Regular Application

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 CFR 1.16(a) \$740.00
Total Claims (37 CFR 1.16(c))	31	- 20 =	11 x	\$18.00	\$198.00
Independent Claims (37 CFR 1.16(b))	3	- 3 =	0 x	\$84.00	\$0.00
Multiple Dependent Claim(s), if any (37 CFR 1.16(d))			+	\$270.00	\$0.00

Filing Fee Calculation

\$938.00

**7. Fee Payment Being Made at This Time**

Enclosed

Filing Fee

\$938.00

Total Fees Enclosed

\$938.00

**8. Method of Payment of Fees**

Check in the amount of \$938.00 is attached.

**9. Authorization to Charge Additional Fees**

**The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 50-1196.**

**37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)**

**10. Instructions as to Overpayment**

**Credit Account No. 50-1196.**

**ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF  
PRIOR U.S. APPLICATION CLAIMED**

**11. Relate Back**

**Amend the specification by inserting, before the first line, the following sentence:**

**12. Maintenance of Copendency of Prior Application**

**A. Conditional Petition for Extension of Time in Prior Application**

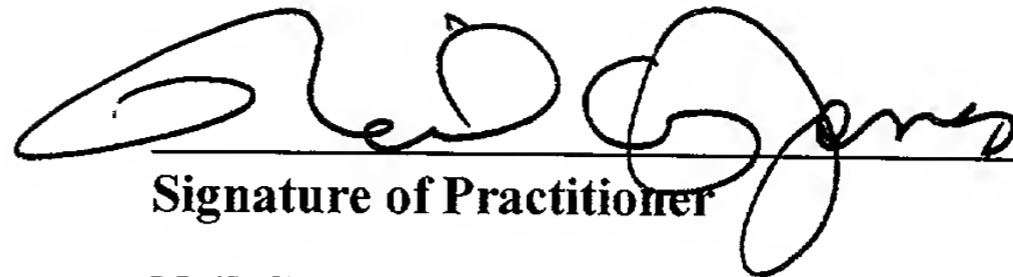
**13. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed**

**a. This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventors in this application are the same.**

**Date: March 4, 2002**

**Reg. No.: 35,561**

**Tel. No.: 864-250-2260**



Signature of Practitioner

**Neil C. Jones**

**Nelson Mullins Riley & Scarborough LLP**

**Keenan Building, Third Floor**

**1330 Lady Street**

**Columbia, SC 29201**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

**Complete if Known**

Application Number	
Filing Date	03/04/2002
First Named Inventor	Baokang Yang
Examiner Name	
Group Art Unit	
Attorney Docket No.	19400/09014 (MJ-749)

TOTAL AMOUNT OF PAYMENT (\$) 938.00

**METHOD OF PAYMENT**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	50-1196
Deposit Account Name	Nelson Mullins Riley & Scarborough

- ☒
- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	740.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$) 740.00

**2. EXTRA CLAIM FEES**

		Extra Claims		Fee from below		Fee Paid	
Total Claims	31	-20** =	11	X	18.00	=	198.00
Independent Claims	3	-3** =	0	X	84.00	=	0.00
Multiple Dependent							

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 198.00

\*\*or number previously paid, if greater, For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	


Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0.00

**SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)	Neil C. Jones	Registration No. (Attorney/Agent)	35,561	Telephone	(864)250-2260
Signature				Date	03/04/2002

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Baokang Yang

Application No.: \_\_\_\_\_ Group No.: \_\_\_\_\_

Filed: 3/4/2002 Examiner: \_\_\_\_\_

For: JUICE BASED BEVERAGE COMPOSITIONS

**Box Patent Application**

**Commissioner for Patents**

**U. S. Patent & Trademark Office**

**Post Office Box 2327**

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**EXPRESS MAIL CERTIFICATE**

"Express Mail" label number ET938670035US

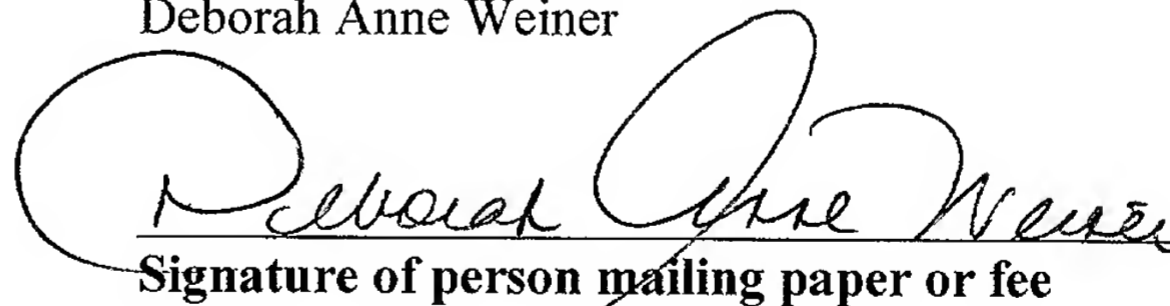
Date of Deposit 3/4/2002

I hereby state that the following *attached* paper or fee

1. Fee Transmittal Sheet (1 page);
2. New Application Transmittal Form (5 pages);
3. Patent Application, title page through abstract (38 pages);
4. Check in the amount of \$938.00 (1 page); and
5. Return Postcard (1 page).

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. section 1.10, on the date indicated above and is addressed to the Box Patent Application, Commissioner for Patents, U. S. Patent & Trademark Office, Post Office Box 2327, Arlington, VA 22202..

Deborah Anne Weiner



Signature of person mailing paper or fee